Confidentiality

McDaniel College strives to respect the personal nature of incidents that may occur involving sexual violence. If an individual, who experiences an incident of sexual violence, gender discrimination or harassment, requests confidentiality, that no investigation into a particular incident be conducted or any disciplinary action taken, McDaniel College will evaluate the request against its responsibility to provide a safe, non-discriminatory environment for all students, faculty and staff, including the individual who reported the incident.

Although rare, there are times when McDaniel may not be able to honor the individual’s request. Further, if McDaniel honors the request for confidentiality, McDaniel’s ability to appropriately investigate the incident and pursue disciplinary action against the respondent(s), if warranted, may be limited.

The evaluation of requests will be at the discretion of the Title IX Coordinator, vice presidents or provosts, to weigh all factors. Factors may be considered in determining whether confidentiality should be maintained include but are not limited to:

• evidence, if any, of the increased risk that the respondent will commit another act of sexual violence because of previous reports,
• respondent threatened further misconduct,
• multiple respondents involved,
• the involvement of weapons,
• whether the victim is a minor (under the age of legal consent),
• whether the College possesses other means to obtain relevant evidence of the incident (e.g., security cameras or personnel, physical evidence),
• or whether the report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors may prompt an investigation and adjudication under McDaniel’s policies and, if appropriate, result in disciplinary action against the accused individual(s).

Confidential Campus Resources for Full Time Students: McDaniel College Wellness Center (located in Winslow Center): 410-857-2243

Confidential Resource for Employees: Employee Assistance Program (EAP) Business Health Services (BHS): 1-800-327-2251 (24 hours a day/7 days a week)

National Domestic Violence Hotline: 1-800-799-7233, 1-800-787-3224 (TTY)

Love Is Respect: 1-866-331-9474

Maryland Coalition Against Sexual Assault (MCASA) www.mcasa.org

Carroll Hospital Center: 410-848-3000 (410-848-3000) or the Carroll County Rape Crisis Center (24 Hour Hotline: 410-857-7322).

Department of Campus Safety: 410-857-2202

Associate Dean of Student Affairs: 410-857-2205, jglennon@mcdaniel.edu, Located in the Human Resources Office in the Dean’s Cottage by Winslow Hall.

The Office of Student Affairs: 410-857-2244, Located on the top level of Decker College Center.

Department of Campus Safety: 410-857-2202

Located in Winslow Hall.

Title IX Coordinator: Jennifer Glennon, 410-857-2205, jglennon@mcdaniel.edu, Located in the Human Resources Office in the Dean’s Cottage by Winslow Hall.

Love Is Respect: 1-866-331-9474

www.loveisrespect.org

Timing and Preservation of Evidence

If you experience sexual violence, you are encouraged to do the following:

• Go to a safe place. Call someone you trust for support. Remember that being assaulted is not your fault.
• Seek medical attention immediately to provide options for the prevention of sexually transmitted infections, internal injuries, and the possibility of pregnancy.
• A medical examination, performed by a specially trained nurse, is available at Carroll Hospital Center (410-848-3000) or the Carroll County Rape Crisis Center (24 Hour Hotline: 410-857-7322).

• Transportation to Carroll Hospital Center can be arranged by the Department of Campus Safety (410-857-2202 or Ext. 2202), or by calling the ambulance at 911.
• Have evidence collected as soon as possible. Evidence collection is necessary for the investigation of the crime. Even if you do not think you would like to pursue a criminal case now, you can have evidence collected so you can decide later whether filing a report with police is right for you.
• Do NOT shower, bathe, brush your teeth, and if at all possible, avoid using the restroom prior to having a medical exam. This can allow important evidence to be collected. Place all clothing worn at the time of the incident in a paper, not plastic, bag to preserve any evidence present on the items. Do not apply medication to any injuries unless absolutely necessary.
• Victims/survivors of sexual assault, domestic violence, stalking, dating violence, gender discrimination and harassment are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs or other copies of documents that may be useful to College investigators and/or police.
McDaniel College is committed to maintaining a safe and secure campus environment where all individuals who participate in institutional programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. Sexual violence, whether committed by a stranger or by an acquaintance, threatens the personal safety, educational experience, and the well-being of members of the McDaniel College community. The College prohibits sexual violence, including sexual assault, dating violence, domestic violence, and stalking; such behavior violates College policy and may also violate the law.

If the College becomes aware of incidents of gender-based discrimination, gender-based harassment, sexual harassment, sexual violence, and relationship violence or stalking, the College will take immediate action to eliminate the discrimination, harassment, or violence, prevent its recurrence, and address its effects. The following information is meant to help a community member determine how the College might assist and support a person as a result of an incident of sexual violence and/or gender-based discrimination and harassment.

**YOUR Options**

McDaniel encourages you to report what you have experienced to the College. Reporting allows the College to support and provide helpful resources to assist you with what has occurred. McDaniel encourages you to report what you have experienced to law enforcement and to participate in the college’s internal grievance process, but you are not obliged to do so. Later in this guide, you will see more information about how to report to the college and/or to law enforcement, and about how the College will review the reports it receives.

The resources, support and interim measures described in this guide are available to you even if you decide not to participate in the college or law enforcement processes. In some cases, if you make an initial report but then decide not to participate further, the college may still need to review and investigate the information provided, and may also be obligated to share the report with law enforcement for possible handling through the criminal justice system. Even in such cases, though, you do not have to participate in the college or law enforcement processes if you do not wish to do so.

The information that you share with the College is your choice. However, you are encouraged to share it so that the College may support you as you move forward from the experience.

**Reporting Sexual Violence to the College**

Anyone who believes that they have experienced an incident of gender-based discrimination, gender-based harassment, sexual harassment, sexual violence, relationship violence or stalking, may report the incident to any of the following:

- **Title IX Coordinator** (410-857-2205)
- **Department of Campus Safety** (410-857-2202)
- **Any member of the Division of Student Affairs** (410-857-2244)
- **Any member of the Human Resources Department** (410-857-2229)
- **Any Dean, Provost or Associate Dean**
- **Any Vice President**

Please note that if a person makes a report to a responsible person, federal law requires that the information be reported to the Vice President of Student Affairs (410-857-2244) or the Title IX Coordinator (410-857-2215). Reports include the name of the individual who experienced an incident, the residence hall assignment of that individual (if applicable), and the date, time, and location of the incident.

If the Title IX Coordinator determines that there is sufficient information upon which the decision panel could find a violation of this policy, the College will consider disciplinary action against the accused individual(s). If the Title IX Coordinator determines that there is not sufficient information upon which the decision panel could find a violation of this policy, the matter will be closed. If necessary, interim measures will continue to be taken to ensure that you feel safe.

**Formal Investigation Procedures**

Most allegations of sexual violence that are reported to the College are investigated. If an investigation is warranted, the Title IX Coordinator will appoint a trained investigator. Both the accused individual(s) will be notified of the investigation, and each of you will have the same rights during the process, including, but not limited to, the right to:

1. Be accompanied by an adviser of your choice at any investigatory interview, and
2. Suggest additional witnesses to be interviewed during the investigation.

The investigator will separately meet with you, the accused individual(s), and other potential witnesses, to gather information. When the fact-gathering portion of the investigation is complete, the investigator will prepare and submit a report to the Title IX Coordinator that includes all the gathered information.

If the Title IX Coordinator determines that there is sufficient information upon which the decision panel could find a violation of this policy, the College will consider disciplinary action against the accused individual(s). If the Title IX Coordinator determines that there is not sufficient information upon which the decision panel could find a violation of this policy, the matter will be closed. If necessary, interim measures will continue to be taken to ensure that you feel safe.

**Reporting to Law Enforcement**

The College encourages full reporting of incidents of sexual violence as well as the full use of all available campus and off-campus resources. The College also recognizes that someone who believes that they have experienced sexual violence has the right, in most circumstances, to decide whether to report the incident to College authorities and/or law enforcement and to decide what campus or community resources to use. The College cooperates with all investigative agencies. The College will do its best to comply with the wishes of someone who believes that they have experienced sexual violence as well as the full use of all available campus and off-campus resources.

**Whom do I talk with about reporting a sexual assault and/or incident of sexual violence to a local law enforcement agency?**

- **The Wellness Center** (410-857-2243)
- **Counseling services at the Wellness Center**
- **President for Student Affairs, or Associate Dean of Student Affairs** to discuss protective measures you may want to consider, which may include the following:
  - Obtaining protective orders, peace orders, or contact orders, or similar lawful orders issued by criminal or civil courts. These orders would be honored both on and off campus, and the Department of Campus Safety could assist with making any necessary accommodations to apply for an order.
  - Creating a plan to limit or prevent contact between you and the other person. This may include making changes to, class work, situations, transportation, or housing arrangements for you or the other party, regardless of whether the crime is reported to campus officials or local law enforcement.
  - Taking steps to increase your sense of safety and security while you continue with your classes, work, and other activities. Depending upon the circumstances of the case, the College may consider other interim measures. If the accused individual(s) is a student and if the circumstances warrant it, the College may decide that an interim suspension is necessary.
- **Coordinating academic support through the Academic Affairs Office, counseling services at the Wellness Center or even requesting a leave of absence through the Academic Affairs Office and Financial Aid Office.** (Note that a leave of Absence may impact a student’s eligibility to receive financial aid, to receive counseling services in the Wellness Center, to remain in the United States under a student visa, and/or to participate in collegiate athletics. Consult a member of the Academic Affairs Office and Financial Aid Office staff for additional information.)
- **An individual can report directly to the Westminster Police Department (410-848-4646), Maryland State Police (410-386-3000), Carroll County Sheriff’s Office (410-386-2900) or go to Carroll Hospital Center (410-848-3000).**

Carroll Hospital Center procedures require that all incidents of sexual violence be reported to the Westminster Police, unless an individual wishes to have a SAFE Exam anonymously as “Jane/John Doe”.

An individual can file a Peace Order with the District Court for Carroll County, to prevent contact with the person alleged to have engaged in a crime. The Department of Campus Safety staff is available to assist in this process.

**Interim Protections**

Whether you choose to report the incident or not, you are encouraged to meet with the Title IX Coordinator, the Vice President for Student Affairs, or Associate Dean of Student Affairs to discuss protective measures you may want to consider, which may include the following:

- Obtaining protective orders, peace orders, or contact orders, or similar lawful orders issued by criminal or civil courts. These orders would be honored both on and off campus, and the Department of Campus Safety could assist with making any necessary accommodations to apply for an order.
- Creating a plan to limit or prevent contact between you and the other person. This may include making changes to, class work, situations, transportation, or housing arrangements for you or the other party, regardless of whether the crime is reported to campus officials or local law enforcement.
- Taking steps to increase your sense of safety and security while you continue with your classes, work, and other activities. Depending upon the circumstances of the case, the College may consider other interim measures. If the accused individual(s) is a student and if the circumstances warrant it, the College may decide that an interim suspension is necessary.
- Coordinating academic support through the Academic Affairs Office, counseling services at the Wellness Center or even requesting a leave of absence through the Academic Affairs Office and Financial Aid Office. (Note that a leave of Absence may impact a student’s eligibility to receive financial aid, to receive counseling services in the Wellness Center, to remain in the United States under a student visa, and/or to participate in collegiate athletics. Consult a member of the Academic Affairs Office and Financial Aid Office staff for additional information.)